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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/695,452 | 10/29/2003 | Doron Shaked | 1509-472 | 4571 |
| 22879 | 7590 | 09/06/2006 | EXAMINER | |
| HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400 | | | ABDULSELAM, ABBAS I | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2629 | |

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--|--------------------------------------|--|
| Office Action Summary | Application No. 10/695,452 | Applicant(s) SHAKED ET AL. | |
| | Examiner Abbas I. Abdulsalam | Art Unit 2629 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-7 and 11-14 is/are rejected.
- 7) ☒ Claim(s) 4 and 8-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 5-7 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamamoto et al. (USPN 6095566)

Regarding claim 1, Yamamoto teaches an optically detectable data encoding layout for a surface (additional information recording region, Fig. 2 (106)) the data encoding layout including: a primary lattice; (first lattices, Fig. 2 (201)), a secondary lattice formed in the interstitial areas formed by the primary lattice; (second lattices, Fig. 2 (202)) one or more secondary markings located on points on the secondary lattice, wherein the data is encoded according to the positions of the secondary markings on the secondary lattice (code information recording portion Fig. 2(204) and second lattices (202) indicated by downward arrows). See col. 6, lines 15-28

Regarding claim 2, Yamamoto teaches the primary lattice is defined by a plurality of primary markings, each located at the vertices of the primary lattice (the first lattices 201 indicated by upward arrows, Fig. 2 (201))

Regarding claim 5, Yamamoto teaches the primary lattice is a regular substantially square lattice, rectangular, triangular or other regular lattice shapes (see Fig. 3A(201)).

Regarding claim 6, Yamamoto teaches primary and/or secondary markings are dots having no intrinsic optically distinguishable structure (Fig. 2 (201, 202), the lattice having as size of 4 by 4 dots, col. 7, lines 23-25).

Regarding claim 7, Yamamoto teaches primary and/or secondary markings have an intrinsic structure, which allows additional data to be encoded therein (col. 7, lines 29-37, superimposing of additional information).

Regarding claim 11, Yamamoto teaches an article incorporating data encoded information including a data-encoding layout as claimed in any one of claim 1 (col. 38, lines 5-11, software program).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al. in view of Kazuo (JP 2000-222516).

Regarding claim 12, Yamamoto teaches a method of encoding data onto a surface (additional information recording region, Fig. 2 (106)) including the steps of: applying a primary lattice to the surface (first lattices, Fig. 2 (201)) applying data encoding markings in payload regions which are defined by the interstitial areas between lattice points of the primary lattice, (the gap from the face picture portion 101 of the ID card 100 to the reproducing filter 108 be not longer than the pitch of the lattices (about 160 .mu.m), col.11, lines 60-63)

However, Yamamoto does not teach “the primary lattice specifying a reference coordinate system for evaluating the positions of the data encoding markings in the payload regions”.

Kazuo on the other hand teaches a process where plural cell frames are set like a lattice with its center point as the reference, a process where circular dots are arranged in a cell frame at equal intervals, a process where beam spot coordinates corresponding to each of these arranged circular dots are preserved in a memory, and a process where working data preserved in this memory is outputted to a laser printer to perform marking on the display face (see the abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify image recoding system shown in Fig 2 to adapt Kazuo's lattice setting and marking as illustrated in the abstract because the use of lattice setting helps form two dimensional coding as taught by Kazuo.

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Regarding claim 13, Kazuo teaches the data corresponds to location data such that if the markings are imaged and decoded, the decoded data represents the position of the imaged area on the page (see the abstract, marking on the display).

Regarding claim 14, Yamamoto teaches the encoded data is digitized data wherein when a plurality of the markings is imaged, the digitized data can be reconstructed from the decoded data (col.16, lines 39-54).

Regarding claim 3, Kazuo teaches the data encoding corresponds to location encoding which specifies the physical location of the secondary marking on the page (see the abstract, circular dots and marking).

Allowable Subject Matter

5. Claims 4 and 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abbas I. Abdulsalam whose telephone number is 571-272-7695. The examiner can normally be reached on Monday through Friday from 9:00 A.M. to 5:30 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abbas Abdulsalam

Examiner

Art Unit 2629

August 23, 2006



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600